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Approved: Fah A.

ALEXANDER LI

Assistant United States Attorney

Before: THE HONORABLE ONA T. WANG  
United States Magistrate Judge  
Southern District of New York

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UNITED STATES OF AMERICA : SEALED COMPLAINT  
:   
- v. - : Violations of  
: 18 U.S.C.  
JONATHAN LOPEZ, : §§ 115(a)(1)(B) &  
: (b)(4), 875(c), and 2  
:   
Defendant. : COUNTY OF OFFENSE:  
: BRONX  
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

MAXIME VALES, being duly sworn, deposes and says that he is a Senior Inspector with the United States Marshals Service ("USMS"), and charges as follows:

COUNT ONE

(Threats Against Federal Officials)

1. From at least in or about August 2019 up to and including in or about September 2019, in the Southern District of New York and elsewhere, JONATHAN LOPEZ, the defendant, knowingly did threaten to assault, kidnap, and murder a United States judge, with intent to impede, intimidate, and interfere with such judge while engaged in the performance of official duties, and with intent to retaliate against such judge on account of the performance of official duties, to wit, LOPEZ posted on the Internet threats to kill and otherwise harm a Senior United States District Judge for the Western District of Pennsylvania.

(Title 18, United States Code, Sections 115(a)(1)(B) & (b)(4) and 2.)

COUNT TWO

(Interstate Threats)

2. From at least in or about August 2019 up to and including in or about September 2019, in the Southern District

of New York and elsewhere, JONATHAN LOPEZ, the defendant, knowingly and intentionally did transmit in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, LOPEZ posted on the Internet threats to kill and otherwise harm a Senior United States District Judge for the Western District of Pennsylvania.

(Title 18, United States Code, Sections 875(c) and 2.)

3. The bases for my knowledge and for the foregoing charge are, in part, described in the following paragraphs.

4. I am a Senior Inspector with the Protective Intelligence Unit of the USMS. I have been employed by the USMS for approximately 10 years. This affidavit is based on my personal participation in the investigation of this matter, my conversations with law enforcement agents and other individuals, and my examination of reports and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported in this complaint, they are reported in substance and in part, except where otherwise indicated.

#### **The Civil Action**

5. Based on my review of law enforcement records, my review of court records, and my conversations with other law enforcement agents and other individuals, I have learned the following information, among other things:

a. On or about November 3, 2014, JONATHAN LOPEZ, the defendant, filed a civil complaint (the "Civil Action") against CSX Transportation, Inc. ("CSX") in the Court of Common Pleas, Cambria County, Pennsylvania. LOPEZ alleged, in part and in substance, that he was struck by a freight train operated by CSX and that CSX was negligent.

b. On or about November 26, 2014, CSX removed the Civil Action to federal court. The federal action was assigned to a Senior United States District Judge for the Western District of Pennsylvania (the "Judge").

c. On or about February 14, 2019, CSX moved for, among other things, an independent medical examination of LOPEZ's competency.

d. On or about February 20, 2019, LOPEZ's attorney (the "Attorney") in the Civil Action requested leave to withdraw as counsel. On or about February 22, 2019, the Judge granted the Attorney's request on the ground that the relationship between LOPEZ and the Attorney had irretrievably broken down.

e. On or about August 23, 2019, at a hearing before the Judge, LOPEZ admitted, among other things, that he had twice brandished a firearm at the Attorney in or about 2015. After the hearing, the Judge granted CSX's motion for an independent medical examination of LOPEZ's competency.

### **The Initial Threats**

6. Based on my review of law enforcement records, my review of business records, and my conversations with other law enforcement agents and other individuals, I have learned the following information, among other things:

a. On or about August 8, 2019, JONATHAN LOPEZ, the defendant, posted on his Facebook page the following:

I walk out that court room empty handed You  
better kill me the true is if I can't live  
I'm ready to die. I'm ready bro this is for  
my name and my respect. . . . Ima go to  
court Csx cheats there way to win then my  
choice is your decision if I'm ripped off  
one last time there are no words to be  
expressed. If [the Judge] and [the Attorney]  
thinks he's going to retire with my misery  
you misconstrue. if you think you going to  
keep me in servitude you mistaken. you have  
months Times up.

Mark my words.

Csx vs Lopez

On the same date, LOPEZ also posted two videos of police shoot-outs.

b. On or about August 10, 2019, LOPEZ posted on his Facebook page the following lyrics from the song "Beware" by the artist "Big Punisher:"

All of us die, some of us kill, even  
massacred

Who wanna try? Punisher will if you ask for  
it

I'm hazardous for your health and hell's  
your next stop

For real my shit's cocked the world has just  
stopped . . .

Attached to these lyrics were captions LOPEZ authored and edited numerous times, including: "You been warn," "You been warned," "You been warned I'm not fucking around," and "You been warned I'm not fucking around you better peep the mirror homie." On the same date, LOPEZ also posted: "If I'm not who iam identity DEF and I'm subject to prison you fucking ass hoes word is born you better give me my fucking money. You got two months bitch Jonathan Lopez vs Csx."

c. On or about August 15, 2019, LOPEZ posted on his Facebook page a Youtube video showing a photograph of the Judge. Shortly thereafter, LOPEZ again posted the lyrics from the song "Beware." (See ¶ 6(b)).

#### Lopez Is Interviewed

7. Based on my review of law enforcement records and my conversations with other law enforcement agents and other individuals, I have learned the following information, among other things:

a. After the court hearing on or about August 23, 2019, JONATHAN LOPEZ, the defendant, voluntarily met with Deputy United States Marshals at the United States District Court for the Western District of Pennsylvania.

b. The Deputy United States Marshals informed LOPEZ that his Facebook posts were inappropriate and could result in criminal charges.

c. LOPEZ stated, in part and in substance, that his Facebook account was hacked and not all of the posts were made by him. LOPEZ nevertheless agreed to take down the threatening posts and to refrain from posting further threatening messages.

d. LOPEZ further stated, in part and in substance, that he at one point owned three firearms but had sold them. LOPEZ stated that he subsequently purchased another firearm out of concern that a "hit" had been put out on him.

**The Further Threats**

8. Based on my review of law enforcement records, my review of business records, and my conversations with other law enforcement agents and other individuals, I have learned the following information, among other things:

a. On or about September 11, 2019, JONATHAN LOPEZ, the defendant, posted on his Facebook page a Youtube video showing a photograph of the Judge. On the same date, LOPEZ posted the following:

it's almost over wherever God intend me to be let his will be done. If I can't be compensated and live my Life. Then the result is your consequences. I'm handling this situation as a gentleman in the contrary of disrespect for the past 6 years. I'm asking you polietly for compensation for my injuries. [The Judge] has removed my right to represent my case on September 23, 2019. However I'll will be at court that day for insurance for the duration of court. If in case close the grievance will be file. If the bar does not preceed a investigation against [the Judge] due to his imperium no words need to be verbalized. If you can't notice I'm being framed you have poor discernment or you corrupted yourself. My honesty is not is not respected.

Jonathan Lopez vs. Csx

Csx vs Jonathan Lopez

LOPEZ wrote in an accompanying caption: "Exhibit that and get that thru your fucking head watch me." On the same date, LOPEZ also posted: "I could live like a coward or die with honor. Live as a slave or die free with the Gun."

b. On or about September 13, 2019, LOPEZ posted on his Facebook page the following, among other things:

i. An image of a helmet with the text "Born to Kill," and a screenshot from the movie "Full Metal Jacket."

ii. A complaint form for the Third Circuit.

iii. Two Youtube videos depicting individuals shooting AK-47 firearms.

iv. "You been warn mother fucker Csx vs Lopez."

c. On or about September 14, 2019, LOPEZ posted on his Facebook page the following:

. . . Evidence note that indeed [the Attorney] and [the Judge] has measured the calendar to calculate to delay to postpone my case and to over see the expiration of my complaint to not have a trial date. . . . Like I stated before I don't use number or articles to communicate to murder for money however if I'm push to kill I will gladly take that action in my own. I am not God or a saint I am human. I do pray on a daily and at the same time I will fuck you up.

Jonathan Lopez

d. On or about September 15, 2019, LOPEZ posted on his Facebook page a photograph of himself holding a black ballistic vest.

9. Based on my review of law enforcement records, my review of court records, and my conversations with other law enforcement agents and other individuals, I have learned the following information, among other things:

a. In connection with the Civil Action, in which he is currently proceeding *pro se*, JONATHAN LOPEZ, the defendant, provided the United States District Court for the Western District of Pennsylvania with the address of a particular apartment in the Bronx, New York (the "Bronx Apartment").

b. On or about August 8, 2019, the same date that he posted the threat described in Paragraph 6(a), LOPEZ posted on his Facebook page two screenshots showing his driving activity on a map. The maps showed LOPEZ within the Southern District of New York.

c. On or about September 17, 2019, in the morning, law enforcement agents observed LOPEZ exiting the Bronx Apartment and departing in a black sedan.

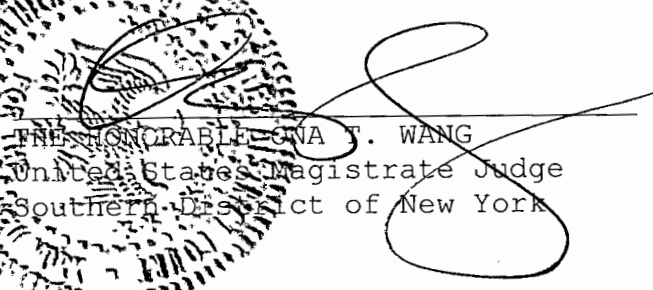


WHEREFORE, deponent respectfully requests that a warrant issue for the arrest of JONATHAN LOPEZ, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.



MAXIME VALES  
Senior Inspector  
United States Marshal Service

Sworn to before me this  
17th day of September, 2019



HONORABLE GWA T. WANG  
United States Magistrate Judge  
Southern District of New York